

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

AMY NEEDHAM,	)	Civil Action No. 13-1829
	)	
Plaintiff,	)	District Judge Cohill
	)	Chief Magistrate Judge Lenihan
v.	)	
	)	
WILLIAM P. MULLEN, Sheriff	)	ECF No. 42, 58
Of Allegheny County, LIEUTENANT	)	
JOHN KEARNEY, DETECTIVE JARED	)	
KULIK, ALLEGHENY COUNTY	)	
CORRECTIONAL HEALTH	)	
SERVICES, INC., and ALLEGHENY	)	
COUNTY,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

Plaintiff filed her Complaint on December 30, 2013. (ECF No. 1.) The Complaint was referred to Chief United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules of Court.

The Magistrate Judge's Report and Recommendation (ECF No. 58) filed on August 28, 2014, recommended that the Partial Motion to Dismiss filed by Defendant Allegheny County (ECF No. 42) be granted. Service was made on all counsel of record. The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Local Rule of Court 72.D.2, the parties had fourteen (14) days from the date of service to file objections to the Report and Recommendation. Objections were filed. The Court notes that Allegheny County's Partial Motion to Dismiss at ECF No. 42 concerns only whether Plaintiff, as

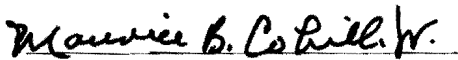
a matter of law, may state a claim for violation of the special relationship theory in addition to a Fourteenth Amendment claim. Defendant Allegheny County has not moved to dismiss any other aspect of Count III of the Second Amended Complaint at ECF No. 40.

After review of the pleadings, the documents in the case and objections, together with the Report and Recommendation, the following Order is entered:

**AND NOW**, this 25<sup>th</sup> day of September, 2014, it is hereby **ORDERED** that the Partial Motion to Dismiss filed by Allegheny County (ECF No. 42) is **GRANTED**.

**IT IS FURTHER ORDERED** that the Report and Recommendation (ECF No. 58) of Chief Magistrate Judge Lenihan, dated August 28, 2014, is adopted as the Opinion of the Court.

BY THE COURT

  
MAURICE B. COHILL  
United States District Judge

cc: All counsel of record  
*Via Electronic Mail*